

State Water Resources Control Board  
Division of Water Quality  
Water Quality Certification Program

**Public Notice  
of Application for Water Quality Certification**

Pursuant to federal law (Title 33, United States Code, Section 1341; Clean Water Act Section 401), applicants for a federal license or permit for activities which may discharge to waters of the United States must seek Water Quality Certification from the state or Indian tribe with jurisdiction. Such Certification is based on a finding that the discharge will meet water quality standards and other applicable requirements. In California, Regional Water Quality Control Boards (RWQCBs) issue or deny Certification for discharges within their geographical jurisdiction. The State Water Resources Control Board has this responsibility for projects affecting waters within multiple RWQCB jurisdictions.

The following information is provided in satisfaction of the public notice requirements of Section 3858, Title 23, of the California Code of Regulations, which govern the State's Certification Program.

**Applicant: California State Lands Commission**

**Applicant Contact** Madhu P. Ahuja

Telephone: (562) 590-5208

Email: AHUJAM@slc.ca.gov

**Project Name: Santa Barbara Channel Hazards Removal Project**

**Date of Application: 7/3/2008**

On July 3, 2008, the State Water Resources Control Board (Water Board) received an application from the California State Lands Commission (applicant or Commission), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities related to a proposed project to physically remove channel hazards located on the beaches, shorelines, and ocean waters of the Santa Barbara Channel.

The proposed project will remove derelict structures from 24 specified beach and shoreline sites including, but not limited to, steel beams, wooden posts, wooden and steel sheet piles, railroad irons, abandoned pipelines and electrical cables, well conductors, etc., all within the jurisdiction of California State Lands Commission. These hazards represent decaying structures that impede trust uses and pose a threat to public health and safety. Derelict metal and wooden structures will be removed by cutting with chain saw or oxyacetylene torch or underwater electric torch, as appropriate. Removal will be accomplished with hand tools and small heavy equipment, such as backhoes. Embedded hazards will be removed down to rock. Most work will occur in the tidal zone of sandy beaches where evidence of removal of the hazardous derelict structures will be washed in with sand during the next tide cycle.

Site specific details are provided in the Initial Study and Mitigated Negative Declaration (MND) for equipment and personnel details as well as an explanation of level and type of activities for each site. Site specific mitigation for various biological resources is also specified. Scheduled start is Fall 2008. Scheduled completion is Winter 2013.

Note that this project was previously certified in 2002. Work was postponed due to funding constraints. The project descriptions under the current certification application are identical to the previously approved and certified projects.

The proposed activities involve work within Waters of the U.S. and Waters of the State. Projected temporary and permanent effects to Waters of the U.S. including wetlands and Waters of the State are summarized in the following table.

TABLE 1: Summary of Potential Effects To Waters of U.S. and State	Temporary Impacts (ac.)	Permanent Impacts (ac.)	
Waters of the U.S.	0.109 ac.	0	
Waters of the U.S. – wetlands	0	0	
Waters of the State	0	0	
Potential Waters of the State - culverted	0	0	
Total effects	0.109 ac.	0 ac.	

A combination of avoidance and minimization mitigation measures are proposed to offset potential effects of project activities to wetlands and waters of the U.S. All feasible and practical measures will be undertaken to avoid or minimize impacts to waters during removal operations.

The applicant has applied for re-authorization from the United States Army Corps of Engineers to perform the project through submission of an application for a 404 Individual Permit, pursuant to Clean Water Act, section 404.

The State Lands Commission issued a CEQA Notice of Determination to adopt a Negative Declaration for this project on Oct. 1, 2002. The Water Board has considered the environmental document and any proposed changes incorporated into the project or required as a condition of approval to avoid significant effects to the environment.

Water Board staff are proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all comments submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Bill Orme at (916) 341-5464 ([borme@waterboards.ca.gov](mailto:borme@waterboards.ca.gov)) within 21 days of the posting of this notice.

**Date Posted: 07/08/2008**

**State Water Resources**

**Control Board Staff Contact:**

**Cliff Harvey**, Environmental Scientist  
Water Quality Certification Unit,  
Division of Water Quality  
State Water Resources Control Board  
1001 I St., 15<sup>th</sup> Floor  
Telephone: (916) 558-1709  
Fax: (916) 341- 5808  
Email: [charvey@waterboards.ca.gov](mailto:charvey@waterboards.ca.gov)

**Note: No regulatory decision on the application is implied or intended in this public notice.**